

By: Harris

S.B. No. 1661

A BILL TO BE ENTITLED

AN ACT

relating to child support liens on real property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 157.318, Family Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Subject to Subsection (d), a [A] lien is effective until all current support and child support arrearages, including interest, any costs and reasonable attorney's fees, and any Title IV-D service fees authorized under Section 231.103 for which the obligor is responsible, have been paid or the lien is otherwise released as provided by this subchapter.

(d) A lien is effective with respect to real property until the 10th anniversary of the date on which the lien notice was filed with the county clerk. A lien subject to the limitation prescribed by this subsection may be renewed for subsequent 10-year periods by filing, before the expiration of the preceding 10-year period, a renewed lien notice in the same manner as the original lien notice. A renewed lien notice relates back to the date the original lien notice was filed.

SECTION 2. Section 231.002(h), Family Code, is repealed.

SECTION 3. The changes in law made by this Act to Section 157.318, Family Code, apply only to a child support lien notice that is filed on or after the effective date of this Act.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2009.